

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIM. CASE NO. 17-20127

Plaintiff,

v.

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

SAMEER BEYDOUN,

Defendant.

**OPINION AND ORDER RULING ON GUIDELINE 2B1.1 RE
DETERMINATION OF ANY LOSS CREDIT; APPLICATION NOTE
3(E)(i)(ii)(iii). THE COURT WILL APPLY (i). THE COURT
CONCLUDES THAT (ii) & (iii) ARE NOT APPLICABLE**

The Court concludes that there was no collateral pledged or otherwise provided by the Defendant; the fraud related to Defendant's lying about the properties marketed for sale. Thus (ii) and (iii) do not apply in this case. Accordingly, the Court rules that any assertion by Defendant of credit against loss comes under (i), which limits any loss credit to any "money returned, and the fair market value of the property reduced . . . to the victim before the loss was detected. The time of detection of the offense is the earlier of (I) the time the offense was discovered by a victim or government agency" (emphasis added) Thus, the

Court finds inapplicable (ii) and (iii) which discuss value at the time of sentencing, or the date on which the guilt of the Defendant has been established.

SO ORDERED.

Dated: October 5, 2017

s/Paul D. Borman
Paul D. Borman
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 5, 2017.

s/Teresa McGovern
Case Manager Generalist